

IN THE HIGH COURT OF JUDICATURE, ANDHRA
PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 5476 of 2000

Between:

1. The District Educational Officer, Mahaboobnagar
2. The Commissioner & Director, School Education, A.P., Hyderabad.
3. Government of A.P., rep. By its Secretary, Education Department, Secretariat, Hyderabad.

.....
PETITIONERS

AND

G.Dasharatham, Retd. Head Master, (SG Teacher)
Government Primary School, Station Bazar,
Mahaboobnagar, Mahaboobnagar District.

.....**RESPONDENT**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a direction, order or orders more particularly one in the nature of 'Writ of Certiorari' and to call for the records relating to and connected with order dated 3-12-1997 in O.A.No.5247 of 1995 on the file of the APAT, Hyderabad and to quash or set-aside the same as erroneous and

contrary to law.

Counsel for the Petitioner:GP FOR SERVICES I

Counsel for the Respondent: Mr. D.Linga Rao

The Court made the following :

ORAL JUDGMENT:

(Per The Hon'ble Sri Justice Goda Raghuram)

The District Educational Officer, Mahaboobnagar and two others have filed this writ petition challenging the orders of the A.P. Administrative Tribunal dated 3rd December, 1997 in O.A.No.5247 of 1995.

The respondent herein filed the O.A., seeking correction of his date of birth from 12th November 1935 to 12th November, 1938. By the order dated 3rd December, 1997 the Tribunal allowed the O.A., and declared that the actual date of birth of the applicant is 12th November, 1938 that he is entitled to all the benefits including service of three years, that his actual date of superannuation is 30th November, 1996 and that thereafter the respondents should regularize his pay and allowances and other monetary benefits on that basis.

After the institution of the writ petition, however, the State Government by G.O.Rt.No237, Education (Ser.IV) Department, dated 26th March, 2003, decided to implement the order of the Tribunal and issued necessary orders for correction of the respondent's date of birth in the service register and to regularize his pay and allowances

and other monetary benefits in terms of the order of the Tribunal.

This order has been issued by the Government in realization of the fact that the respondent had been making representations for correction of his date of birth since shortly after he entered the service of the petitioners and the matter was hanging fire since 1962.

In view of the order of the State Government directing implementation of the order of the Tribunal, the learned Government Pleader states that it is not necessary to adjudicate upon this writ petition.

The writ petition is accordingly, dismissed. No costs.

J.Chelameswar, J

Goda Raghuram, J

24th Augsut, 2004.
mrk

To

1. The District Educational Officer, Mahaboobnagar,
2. The Commissioner & Director, School Education, A.P., Hyderabad.
3. The Secretary, Education Department, Secretariat, Hyderabad.

4. Two CCs to the Government Pleader for Services-I, High Court of A.P., Hyderabad.
5. The Registrar, A.P. Administrative Tribunal, Purani Haveli, Hyderabad.
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